

AA

Section 11

BOX MISSING PARTS  
PATENT  
2786-0168P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Zurit LEVINE et al. Conf.: 9282  
Appl. No.: 09/805,020 Group: 1645  
Filed: March 13, 2001 Examiner: Unknown  
For: SPLICE VARIANTS OF ONCOGENES

**REPLY TO NOTICE OF  
INCOMPLETE REPLY (NONPROVISIONAL)**

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, DC 20231

OCT 25 2001

Sir:

The application papers for the above-identified application were originally filed on March 13, 2001, and the application was assigned Appl. No. 09/805,020.

A Notice of Incomplete Reply (Nonprovisional) was mailed on October 12, 2001, stating that the Oath or declaration is missing and *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Dates, is required.* Applicants responded to the Notice to File Missing Parts of Nonprovisional Application on July 10, 2001, by submitting the original executed Declaration of the inventor(s). Attached hereto is a copy of the Letter Submitting Documents for Completion of an Application Pursuant to 37 CFR

1.53(f) and/or 1.53(d) filed July 10, 2001 and a copy of the stamped, return receipt postcard indicating the response was received by the U.S.P.T.O.


Accordingly, the oath or declaration requested by the outstanding Notice of Incomplete Reply (Nonprovisional) was provided to the USPTO on July 10, 2001. For convenience, a copy of the Declaration is attached.

No fee is required for this response to the Notice of Incomplete Reply.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Marc S. Weiner, #32,181

2786-0168P  
MSW/sh

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments



BOX MISSING PARTS  
PATENT  
2876-0168P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Zurit LEVINE et al. Conf.: 9282  
Appl. No.: 09/805,020 Group: Unknown  
Filed: March 13, 2001 Examiner: UNKNOWN  
For: SPLICE VARIANTS OF ONCOGENES

THIS IS NOT A NEW PATENT APPLICATION

LETTER SUBMITTING DOCUMENTS  
FOR COMPLETION OF AN APPLICATION  
PURSUANT TO 37 C.F.R. § 1.53(f) and/or § 1.53(d)

BOX MISSING PARTS

Assistant Commissioner for Patents  
Washington, DC 20231

July 10, 2001

COPY

Sir:

The application papers for the above-identified application were originally filed on March 13, 2001 and the application was assigned Appl. No. 09/805,020.

DOCUMENTATION

- ☒ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) (☒ original ☐ photocopy), necessary for completing the filing requirements in connection with the above-identified application.
- ☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and Trademark office on March 13,

2001, including any amendments thereto (if applicable) filed on even date therewith.

- ☒ The undersigned hereby declares that "Attorney Docket No. 2876-0168P on page 1 of the attached inventors' Declaration, corresponds to Appl. No. 09/805,020, filed March 13, 2001, entitled "SPLICE VARIANTS OF ONCOGENES."
- ☐ Attached are \_\_\_\_\_ ( ) sheet(s) of formal drawings.
- ☒ Attached is a copy of the Notice to File Missing Parts of Nonprovisional Application.
- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language.
  - ☐ See the attached Translator's Verification; or
  - ☐ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☐ Submitted concurrently herewith **under separate cover** for recording is an Assignment.

**FEES**

The Government Filing Surcharge(s) (37 C.F.R. § 1.16(e) and/or § 1.17(k)) and the basic Government Filing Fee(s) (37 C.F.R. § 1.16(a)-(d), if applicable) is/are attached hereto and calculated as follows:

- ☐ Basic Filing Fee(s): \$0.00 (37 C.F.R. § 1.16(a)-(d))
- ☒ The Government Filing Surcharge under 35 U.S.C. § 1.16(e)) for late filing of filing fee, oath and/or declaration:
  - ☐ Large Entity - \$130.00
  - ☒ Small Entity - \$ 65.00)
- ☐ The Government Filing Surcharge under 37 C.F.R. § 1.17(k)) for filing of translation of non-English Specification in the amount of \$130.00:
  - ☐ was previously paid for concurrently with the filing of the application on .
  - ☐ is attached hereto.
- ☐ No extension fee is required because the undersigned has not yet received the Notice to File Missing Parts of Nonprovisional Application. However, if for some reason it is determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.
- ☐ Applicant hereby respectfully petitions for a ( ) month(s) extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$0.00 is attached hereto.

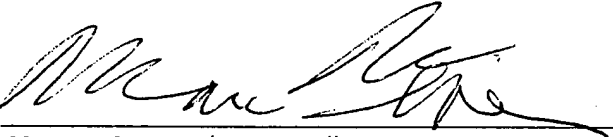
Appl. No. 09/805,020

- ☒ A check in the amount of \$65.00 to cover the basic filing fee(s), surcharge fee(s), and any extension of time fees (if applicable) is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

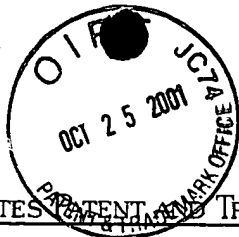
By   
Marc S. Weiner, #32,181

MSW/sh  
2876-0168P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments

(Rev. 01/22/01)



COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/805,020	03/13/2001	Zurit Levine	2786-0168P

CONFIRMATION NO. 9282

2292

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

FORMALITIES LETTER



\*OC000000006061428\*

7-10-01 ES  
DOCKETED  
Perfect  
Sequence Listing

Date Mailed: 05/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

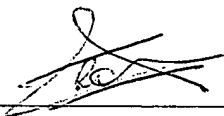
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



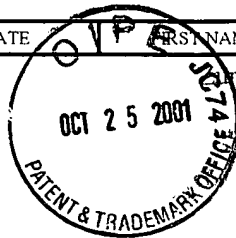


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/805,020	03/13/2001	Levine	2786-0168P

2292  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747



CONFIRMATION NO. 9282

## FORMALITIES LETTER



\*OC000000006899797\*

Date Mailed: 10/12/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 07/10/2001 to the Notice to File Missing Parts (Notice) mailed 05/10/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY

Papers Filed herewith on:

DOCKET NO.: 2786-168P ATTY.: MSW  
APPLICANT(S): ZURIT LEVINE et al  
APPLN. NO.: 09/805,200 FILED: 3/13/01  
PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-Ink  
☐ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity  
☐ Response \_\_\_\_\_  
☐ Information Discl Stmt. PTO-1449(s) \_\_\_\_\_  
☐ Notice of Appeal ☐ Appeal Brief \_\_\_\_\_  
☐ Issue Fee Transmittal  
☒ FEES: \$40 518521  
☐ Letter: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS

Due Date: \_\_\_\_\_  
Handcarry: \_\_\_\_\_

Papers Filed herewith on:

DOCKET NO.: 2786-168P ATTY.: MSW  
APPLICANT(S): ZURIT LEVINE et al  
APPLN. NO.: 09/805,200 FILED: 3/13/01  
PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-Ink  
☒ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity  
☐ Response \_\_\_\_\_  
☐ Information Discl Stmt. PTO-1449(s) \_\_\_\_\_  
☐ Notice of Appeal ☐ Appeal Brief \_\_\_\_\_  
☐ Issue Fee Transmittal  
☒ FEES: \$65 (508265)  
☐ Letter: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS

Due Date: 7/10/01  
Handcarry: \_\_\_\_\_

